

1 THE HONORABLE BENJAMIN H. SETTLE
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 PENNIE COTTRELL, individually,)
11 v.) Plaintiff,) Case No. 2:18-cv-00072-BHS
12 NATIONAL RAILROAD PASSENGER)
13 CORPORATION d/b/a AMTRAK,)
14 Defendant.)
15 JACOB BURKE and BELINDA)
16 COTTRELL-BURKE, individually and as)
17 Joint Guardians to T.B. and R.B., their minor)
18 children; and TAYTEM BURKE,) Case No. 3:18-cv-05594-BHS
19 Plaintiffs,)
20 v.)
21 NATIONAL RAILROAD PASSENGER)
22 CORPORATION, d/b/a AMTRAK,)
23 Defendant.)

24 The undersigned parties hereby stipulate as follows and move this Court for an order
25 pursuant to FRCP 42(a) consolidating for all purposes the two above-captioned cases brought by
26 Plaintiff Pennie Cottrell and Plaintiffs Jacob Burke and Belinda Cottrell-Burke. Plaintiffs are all
27 members of the same extended family. The Plaintiffs have each brought these actions against
the same Defendant, National Railroad Passenger Corporation ("Amtrak"). The Parties submit
that the requirements of FRCP 42 and Western District of Washington Local Rule 42 are satisfied

28 STIPULATED MOTION TO CONSOLIDATE CASES
29 CASE NO. 2:18-CV-00072-BHS
30 CASE NO. 3:18-CV-05594-BHS - 1

31 019188.0389/7669936.1

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1 here because the two actions involve common questions of law or fact, and consolidation will
2 allow the two cases to be handled more efficiently and with less of a burden on the resources of
3 this Court.

4 In light of the foregoing, it is hereby stipulated and agreed, by and between the Parties
5 through their undersigned counsel of record, that the two above-captioned cases should be
6 consolidated for all purposes, up to and including trial. The parties wish to vacate the current trial
7 date of October 8, 2019 scheduled in *Cottrell v. NRPC*, Case No. 2:18-cv-00072-BHS, and
8 consolidate the two cases onto the trial date of December 1, 2020, currently scheduled in *Burke*
9 *v. NRPC*, Case No. 3:18-cv-05594-BHS, with pretrial dates adjusted accordingly.

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11 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

12 DATED this 23rd day of May, 2019.
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32 STIPULATED MOTION TO CONSOLIDATE CASES
33 CASE NO. 2:18-CV-00072-BHS
34 CASE NO. 3:18-CV-05594-BHS - 2

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ORDER

THIS MATTER having come before the Court upon the stipulation of the Parties and the Court having considered the stipulated motion and the records and files of the case, the Court does hereby find good cause to order that the two above-captioned matters will be consolidated for all purposes before the Honorable Benjamin H. Settle, with a trial date of December 1, 2020, and pretrial dates to be adjusted accordingly.

DATED this 29th day of May, 2019.



BENJAMIN H. SETTLE
United States District Judge

Presented by:

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STIPULATED MOTION TO CONSOLIDATE CASES
CASE NO. 2:18-CV-00072-BHS
CASE NO. 3:18-CV-05594-BHS - 3

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